

RESERVING CERTAIN PUBLIC-DOMAIN LANDS IN THE
STATE OF ARIZONA FOR ADDITION TO THE HAVASU-
PAI INDIAN RESERVATION

DECEMBER 1 (legislative day, NOVEMBER 18), 1943.—Ordered to be printed

Mr. HATCH, from the Committee on Public Lands and Surveys,
submitted the following

REPORT

[To accompany S. 1000]

The Senate Committee on Public Lands and Surveys, to whom was referred the bill S. 1000, to reserve certain public-domain lands in the State of Arizona for addition to the Havasupai Indian Reservation, and for other purposes, having considered the same report favorably thereon without amendment and with the recommendation that it do pass.

Detailed explanation of the aims and purposes of this bill is set forth in the letter of the Secretary of the Interior to the chairman of the committee, under date of October 25, 1943, which letter is hereinbelow set forth in full and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, October 25, 1943.

HON. CARL A. HATCH,
*Chairman, Committee on Public Lands and Surveys,
United States Senate.*

MY DEAR SENATOR HATCH: Reference is made to your request for a report on S. 1000, a bill to reserve certain public-domain lands in the State of Arizona for addition to the Havasupai Indian Reservation and for other purposes. This bill would permit the addition of 2,560 acres to the existing reservation, which now consists of only 583 acres.

For the reasons hereinafter stated, I recommend that the bill be enacted.

For many years the Havasupai Indians had used, for stock-watering purposes, the water of Sinyella Springs, in Cataract Canyon, Coconino County, Ariz. These springs are located at the head of the canyon, on section 29, township 30 north, range 2 west, Gila and Salt River base and meridian, which was patented to the State of Arizona, under the institutional land-grant provision of its enabling act. It is reported that the springs furnish the only permanent water in the area on which these Indians can depend for livestock use. They continued to use the

springs until about 6 years ago, when the State leased this particular tract to a non-Indian, who forbade the Indians further use of the water from the springs.

Preliminary to seeking a new source of water for the Indians, or working out a solution of the controversy involving the springs, the four sections of public land located down-canyon from the State-owned tract were withdrawn temporarily from all forms of disposal under the public land laws by Departmental order of August 29, 1940. A portion of the lands so withdrawn is located in the bottom of the canyon and is needed by the Indians for grazing purposes and as an avenue of ingress and egress to the upper portions of the canyon. The remainder of the lands, located on the rim of the canyon, is desired by the State of Arizona for use by its lessees.

On March 18, 1942, Mr. Rudolph Kirby, lessee of the State-owned lands, and representatives of the State of Arizona and of this Department made a trip into Cataract Canyon for the purpose of inspecting the lands and springs and to consider the possibility of an amicable solution of the controversy. As a result of the meeting, it was concluded that a feasible solution would be to obtain the four sections of public land for the Havasupai Indians, and to exchange that portion of such lands above the canyon rim with the State of Arizona for the State-owned lands in sections 28 and 29, township 30 north, range 2 west, and the west half of section 32, township 31 north, range 2 west, located within the canyon. It was also concluded that the State lessee should be paid for the improvements on the State-owned land, which would be conveyed to the United States in connection with the proposed exchange. The improvements consist of additional development of the springs and construction of a stock trail from the rim of the canyon to the bottom thereof, located in section 28, township 30 north, range 2 west.

Sections 1 and 2 of S. 1000 would reserve the four sections of land for Indian purposes and would authorize the Secretary of the Interior to exchange such lands with the State of Arizona. Section 3 of the bill would authorize an appropriation of funds to purchase the improvements on the State-owned lands. It is believed that the bill, if enacted, will provide adequate means of settling the controversy over the use of the springs in question, to the satisfaction of all parties concerned.

The Bureau of the Budget has advised me that there would be no objection to the presentation of this report to the Congress.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.